

EXHIBIT A

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KING COUNTY
SUPERIOR COURT CLERK
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CASE #: 19-2-03989-2 KNT

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

GUY GILDNER and DEBRA GILDNER,
husband and wife, and the marital community
comprised thereof,

Plaintiffs,

vs.

THE BOEING COMPANY, a Delaware
corporation.

Defendant.

NO. _____

COMPLAINT FOR NEGLIGENCE

COMES NOW Plaintiffs, GUY GILDNER and DEBRA GILDNER, by and through their attorneys, Pellegrino L. Certa and Cheryl J. Farrish, of the Certa Law Group, and for cause of action against the Defendant, alleges the following:

I. PARTIES

1.1 Plaintiffs, GUY GILDNER and DEBRA GILDNER, husband and wife, are currently residing in Pierce County, Washington.

1.2 Upon information and belief, Defendant THE BOEING COMPANY is a Delaware corporation with its principal place of business in Chicago, Illinois. Defendant Boeing regularly conducts business in the State of Washington.

COMPLAINT - 1

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1.3 All acts giving rise to this complaint occurred in Tukwila, King County, Washington.

1.4 Venue is proper in King County, Washington.

II. STATEMENT OF FACTS AND CAUSES OF ACTION

2.1 On or about January 27, 2017, while employed by Federal Express as a freight delivery driver, Plaintiff Guy Gildner made a delivery to Defendant The Boeing Company (“Boeing”) at 9725 E. Marginal Way, Tukwila, WA 98168.

2.2 Boeing provided Plaintiff Guy Gildner a mechanically altered pallet jack for Plaintiff Gildner to offload the pallets from his delivery truck.

2.3 When Mr. Gildner released the pallet jack lever to lower the crate he was delivering, which weighed more than 1,000 pounds, a metal bar that was mounted on the jack came down and pinned his hand and knuckle between the bar and lever.

2.4 As a result, Mr. Gildner’s hand and knuckle was crushed between the bar and the lever, causing injury and fracture.

2.5 The Defendant’s negligence included but was not limited to: altering the pallet jack, which rendered it dangerous; not providing Plaintiff Guy Gildner with sufficient notice as to the dangerous qualities of the altered pallet jack; providing the altered pallet jack to Plaintiff Guy Gildner for normal use despite previously reported similar incidents; and other acts and omissions to be proven at trial.

2.6 As a result of Boeing’s negligence, Plaintiff Guy Gildner was injured, suffered, and continues to suffer physical injuries and disability, pain, emotional trauma, medical expenses, loss of enjoyment, and other damages.

2.7 Plaintiffs' damages include, but are not limited to: physical, psychological and emotional injuries, loss of nurture and guidance, loss of enjoyment of life, loss of consortium, loss of wages, medical expenses, out-of-pocket expenses, emotional distress, pain and suffering and other damages that are currently ongoing and which will be proven at trial.

III. NOTICE

The Plaintiffs hereby waive the physician-patient privilege ONLY to the extent required by RCW 5.60.060, as limited by the Plaintiffs' constitutional rights of privacy, contractual rights of privacy, and the ethical obligation of physicians and attorneys not to engage in ex parte contact between a treating physician and the patients' legal adversaries.

IV. PRAYER FOR RELIEF

WHEREFORE, the Plaintiffs pray for the following relief against the Defendant:

1. For all reasonable and necessary past and future medical expenses, pain and suffering, disfigurement, emotional distress, loss of enjoyment of life, and other special and general damages in an amount to be proven at trial;

2. For all costs and disbursements;

3. For reasonable and actual attorneys' fees;

4. For pre- and post judgment interests; and

5. For such further and other relief as this Court deems just and proper.

DATED this 12th day of February, 2019.

CERTA LAW GROUP, INC., P.S.



Pellegrino L. Certa, WSBA No. 25903
Cheryl J. Farrish, WSBA No.: 41698
Attorneys for Plaintiffs